

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

In re: D&D HOSPITALITY, LLC,)	Bankruptcy No. 11-83081-JAC-11
)	
Debtor.)	Chapter 11
_____)	
)	
D&D HOSPITALITY, LLC, as)	
Chapter 11 Debtor,)	
)	
Plaintiff,)	
)	
v.)	AP No.: 11-80117
)	
FIRST CITIZENS BANK, a California Corporation,)	
and NORTH TEXAS HOTEL GROUP, Ltd., a)	
Texas Limited Partnership (LP),)	
)	
Defendants.)	

NOTICE OF DISMISSAL

COMES NOW the plaintiff, D&D Hospitality, LLC, Chapter 11 debtor-in-possession, pursuant to FRBP Rule 7041 and FRCP 41(1)(A) and prior to the filing of an answer or any other pleading by the defendants, and gives notice of dismissal of this adversary proceeding without prejudice and with each party to bear its own costs.

Respectfully submitted this 14th day of October, 2011.

/s/ Tazewell Shepard

Tazewell Shepard

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CERTIFICATE OF SERVICE

This is to certify that I have this October 14, 2011 served the foregoing by electronic service through the Court's CM/ECF system and upon the following person and/or by depositing said copies in the U. S. Mail in properly addressed envelopes with adequate postage thereon:

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/s/ Tazewell Shepard
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